

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAR - 3 2004

FILED
CLERK'S OFFICE

DOCKET NO. 1586

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE MUTUAL FUNDS INVESTMENT LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-1)

On February 20, 2004, the Panel transferred 96 civil actions to the United States District Court for the District of Maryland for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. With the consent of that court, all such actions have been assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis and the Honorable Frederick P. Stamp, Jr.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the District of Maryland.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of Maryland for the reasons stated in the order of February 20, 2004, ___ F.Supp.2d ___ (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable J. Frederick Motz, the Honorable Andre M. Davis and the Honorable Frederick P. Stamp, Jr.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Maryland. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

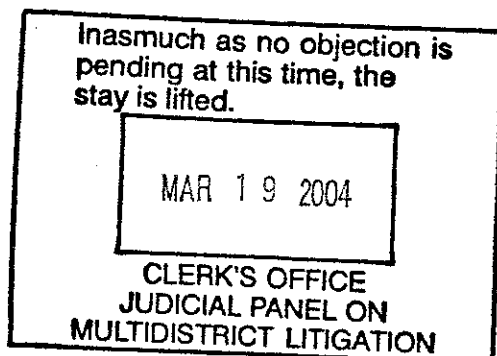
Michael J. Beck

Michael J. Beck
Clerk of the Panel

I hereby attest and certify that the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

FELICIA C. CANNON
CLERK, U. S. DISTRICT COURT
DISTRICT OF MARYLAND

By J. Limer Deputy



SCHEDULE CTO-1 - TAG ALONG CASES
DOCKET NO. 1586
IN RE MUTUAL FUNDS INVESTMENT LITIGATION

DISTRICT DIV. CIVIL ACTION#

CALIFORNIA CENTRAL

~~CAC 2 03-7654 Emanuel Wasserman v. Kenneth D. Lewis, et al. Opposed 3/17/04~~
CAC 2 03-8736 Mike Sayegh v. Janus Capital Corp., et al.

CALIFORNIA NORTHERN

CAN 3 03-5071 Michael Federman v. Putnam American Government Income Fund, et al.
CAN 5 03-5133 Kathie A. Phillips v. Alliance Capital Management Holding, L.P., et al.
CAN 5 03-5146 James Page, Jr. v. The Charles Schwab Corp., et al.

COLORADO

CO 1 03-2004 Gerald L. Chait, etc. v. Thomas H. Bailey, et al.
CO 1 03-2007 Mei Hung, etc. v. Thomas H. Bailey, et al.
CO 1 03-2016 Norman Friedman, et al. v. Janus Capital Group, Inc., et al.
CO 1 03-2037 Robert Martini v. Janus Capital Group, Inc., et al.
CO 1 03-2061 Delon Brown v. Janus Capital Group, Inc., et al.
CO 1 03-2103 Ruth A. McKeown v. Janus Fund, et al.
CO 1 03-2115 Paul Straits v. Janus Capital Group, Inc., et al.
CO 1 03-2141 Janice Biggs v. Janus Fund, et al.
CO 1 03-2168 Harry Goodman, et al. v. Janus Capital Group, Inc., et al.
CO 1 03-2182 Richard Lepera v. Invesco Funds Group, Inc., et al.
CO 1 03-2212 R. Andrew Harclerode, et al. v. Janus Capital Group, Inc., et al.
CO 1 03-2309 Brenda C. Vann, et al. v. Janus Capital Group, Inc., et al.
CO 1 03-2325 Amanda Klein v. Janus Capital Group, Inc., et al.
CO 1 03-2403 Craig Wiggins v. Janus Capital Group, Inc., et al.
CO 1 03-2406 L. Scott Karlin, etc. v. Amvescap, PLC, et al.
CO 1 03-2441 Richard Raver v. Invesco Funds Group, Inc., et al.
CO 1 03-2456 Jerry Fatah, etc. v. Invesco Advantage Health Sciences Fund, et al.
CO 1 03-2457 Shirley M. McLain, et al. v. Bank of America Corp., et al.
CO 1 03-2559 Steven B. Ehrlich, et al. v. Invesco Advantage Health Sciences Fund, et al.
CO 1 03-2604 Miriam Calderon v. Amvescap, PLC, et al.
CO 1 03-2612 Pat B. Gorsuch, et al. v. Invesco Funds Group, Inc., et al.

CONNECTICUT

CT 3 03-1874 Thomas Helm, et al. v. Janus Fund, et al.
CT 3 03-1883 Louis J. DeSocio v. Strong Advisor Common Stock Fund, et al.
CT 3 03-2050 Charles Lanza v. Alliancebernstein Growth & Income Fund, et al.
CT 3 03-2192 Alfred Dellavalle v. Putnam American Government Income Fund, et al.

ILLINOIS NORTHERN

ILN 1 03-7315 Lenore Zarate v. Bank One Corp., et al.
ILN 1 03-7940 Robert Holton v. Bank One Corp., et al.
ILN 1 03-8561 Datren Williams, etc. v. Bank One Corp., et al.
ILN 1 03-8628 Carolyn Kitty v. Janus Capital Group Inc., et al.
ILN 1 03-9055 Carlo D'Agostino v. Putnam Investments Trust, et al.
ILN 1 03-9061 Brett Tayne v. Putnam Investments Trust, et al.

ILLINOIS SOUTHERN

~~ILS 3 03-692 Robert Potter, et al. v. Janus Investment Fund, et al. Vacated 3/17/04~~
~~ILS 3 03-760 Donald Bradfish v. Templeton Funds, Inc., et al. Vacated 3/17/04~~
~~ILS 3 03-769 Roger Kelso v. Columbia Acorn Trust, et al. Opposed 3/18/04~~
~~ILS 3 03-770 David Kenerley v. Templeton Funds, Inc., et al. Opposed 3/18/04~~

SCHEDULE OF ACTIONS (CTO-1) - DOCKET NO. 1586

PAGE 2 OF 4

ILS 3 03-771 Tom Sichra v. Putnam Investment Funds, et al.
~~ILS 3 03-772 John Bilski v. Airm International Funds, Inc., et al. Opposed 3/18/04~~
~~ILS 3 03-843 Gary Vogeler, et al. v. Columbia Acorn Trust, et al. Vacated 3/17/04~~

MASSACHUSETTS

MA 1 03-12222 Evon Yameen, et al. v. Putnam Investment Management, LLC
 MA 1 03-12227 Diane Hutto, et al. v. Putnam Europe Equity Fund, et al.
 MA 1 03-12273 Edward Casey, et al. v. Putnam Investment Management, LLC
 MA 1 03-12400 John K. Clement, et al. v. Putnam Investment Management, Inc., et al.
 MA 1 03-12402 Antonio Ioakim, et al. v. Putnam Investment Management, LLC
 MA 1 03-12441 Seth B. Marks, et al. v. Putnam, LLC, et al.
 MA 1 03-12474 Mark E. Feinstein, et al. v. Putnam Investments Trust, et al.
 MA 1 03-12475 Maria Dagostino-Gannon v. Putnam Investment Trust, et al.
~~MA 1 03-12483 Gustavo Bruckner, etc. v. Massachusetts Financial Services Co., et al. Opposed 3/18/04~~
~~MA 1 03-12500 Bruce Riggs v. Massachusetts Financial Services Co., et al. Opposed 3/18/04~~
 MA 1 03-12526 Joanne S. Baseman, etc. v. Putnam Investment Management, LLC, et al.
 MA 1 03-12527 Cynthia Puleo, etc. v. Putnam, LLC, et al.

NORTH CAROLINA WESTERN

NCW 3 03-496 James McLain v. Bank of America Corp., et al.
 NCW 3 04-16 Raj Sanyal, etc. v. William P. Carmichael, et al.

NEW JERSEY

NJ 2 03-4370 Brian Levy v. Strong Advisor Common Stock Fund, et al.
 NJ 2 03-4544 Lori McBride, etc. v. Strong Financial Corp., et al.
 NJ 2 03-4545 William Solvible, et al. v. John R. Belk, et al.
 NJ 2 03-4585 Robert Steinberg v. Strong Advisor Common Stock Fund, et al.
 NJ 2 03-4586 Bruce J. Pfeffer, et al. v. Janus Fund, et al.
 NJ 2 03-4602 Margo A. Bode v. Bank of America Corp., et al.
 NJ 2 03-4612 Irving J. Chasen, etc. v. Mark B. Whiston, et al.
 NJ 2 03-4769 Ronald Gross, etc. v. James Dimon, et al.
 NJ 2 03-5045 Charles S. Steinberg v. AllianceBernstein Growth & Income Fund, et al.
 NJ 2 03-5081 Yaakov Nekritz v. Canary Capital Partners, LLC, et al.
 NJ 2 03-5500 Camille Logue, etc. v. Bruce W. Calvert, et al.

NEW YORK EASTERN

NYE 2 03-5879 Ira Newman v. Alliance Capital Management, LP
 NYE 2 03-5958 Michael Bernstein, etc. v. Fred Alger Management, Inc., et al.
 NYE 2 03-6004 Jean L. Taylor, et al. v. Alliance Capital Management, L.P.

NEW YORK SOUTHERN

NYS 1 03-7710 A. Duane Wahl v. Nations Capital Growth Fund, et al.
 NYS 1 03-7751 Virginia Metzger v. Banc One Investment Advisors, et al.
 NYS 1 03-7932 Frank K. Mangialardi v. Strong Capital Management, Inc.
 NYS 1 03-7940 Michael Lipstein IRA, et al. v. Janus Capital Management, LLC
 NYS 1 03-8025 Katrina McKoy v. Bank of America Corp., et al.
 NYS 1 03-8131 Lori Weinrib v. Janus Capital Group, Inc., et al.
 NYS 1 03-8199 Irene Waxman v. Janus Capital Group, Inc., et al.
 NYS 1 03-8256 Katrina S. Weaver v. Nations Capital Growth Fund, et al.
 NYS 1 03-8364 Linda Parker v. One Group Technology Fund, et al.
 NYS 1 03-8412 Rhonda Vladimir v. Janus Capital Management, LLC, et al.
 NYS 1 03-8523 Shandel Strasberg, et al. v. Janus Fund, et al.
 NYS 1 03-8593 Robert Wiley v. Bank One Corp., et al.
 NYS 1 03-8609 Doreen Duke v. Janus Capital Group, Inc., et al.
 NYS 1 03-8627 Peter D. Demayo, etc. v. Alger Small Port, et al.
 NYS 1 03-8682 Warren Pinchuck, etc. v. Peter Coster, et al.
 NYS 1 03-8686 Michael H. Diemer v. Janus Fund, et al.
 NYS 1 03-8710 Ida Desch v. Bank of America Corp., et al.
 NYS 1 03-8745 Phil Maez v. Nations Institutional Reserves Convertible Securities Fund, et al.

SCHEDULE OF ACTIONS (CTO-1) - DOCKET NO. 1586

PAGE 3 OF 4

NYS	1	03-8747	Marc Henzel, etc. v. Alger Small Port, et al.
NYS	1	03-8864	Michael Pflugath, et al. v. Bear Stearns Companies, Inc., et al.
NYS	1	03-8893	Jessica Corbett v. Marsh & McLennan Companies, Inc., et al.
NYS	1	03-8894	Murray Zucker v. Putnam American Government Income Fund, et al.
NYS	1	03-8959	Dana Buhs v. Fred Alger Management, Inc., et al.
NYS	1	03-8962	Jeffrey Ettinger, etc. v. Janus Capital Group, Inc., et al.
NYS	1	03-8984	Maurice Bonime v. Putnam American Government Income Fund, et al.
NYS	1	03-9001	Barbara Walsh v. Marsh & McLennan Companies, Inc., et al.
NYS	1	03-9149	Meyer Mintz v. Putnam American Government Income Fund, et al.
NYS	1	03-9157	Frederic Ian Fishbein, etc. v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	03-9160	Romilda Braatz v. Marsh & McLennan Companies, Inc., et al.
NYS	1	03-9167	Bryon Billman v. Fred Alger Management, Inc., et al.
NYS	1	03-9197	Bernard Schwimmer v. AllianceBernstein Technology Fund, et al.
NYS	1	03-9216	Aaron Brody v. Pilgrim Baxter & Associates, Ltd., et al. Opposed 3/19/04
NYS	1	03-9237	James Ryan, et al. v. Putnam American Government Income Fund, et al.
NYS	1	03-9239	Robert Garfield v. Fred Alger Management, Inc., et al.
NYS	1	03-9245	Paula Pieroni v. Bank of America Corp, et al.
NYS	1	03-9294	Adrienne Green v. AllianceBernstein Growth & Income Fund, et al. Opposed 3/19/04
NYS	1	03-9372	Gary A. Baskin v. Bank of America Corp., et al.
NYS	1	03-9424	Robert Foster, et al. v. Putnam Investments Trust, et al.
NYS	1	03-9425	Rochelle Turoff Mucha v. Marsh & McLennan Companies, Inc., et al.
NYS	1	03-9426	Alberta Friedman v. Alger Small Portfolio, et al.
NYS	1	03-9434	Rochelle Meyer, etc. v. Alliance Capital Management Holding L.P., et al. Opposed 3/19/04
NYS	1	03-9438	Lisa Schales v. Alliance Capital Management Holdings, L.P., et al.
NYS	1	03-9439	Leslie Turbowitz v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	03-9497	Avremi Weinreb v. AllianceBernstein Technology Fund, et al.
NYS	1	03-9498	Terry Conner v. Alliance Capital Management Holding, L.P., et al.
NYS	1	03-9501	Neeayaf Distributing v. Alger Small Portfolio, et al.
NYS	1	03-9606	Patrice H. Oster v. Alliance Capital Management Holdings L.P., et al.
NYS	1	03-9634	Edward Lowinger, et al. v. Invesco Advantage Health Science Fund, et al.
NYS	1	03-9638	Ronald E. Stackler, et al. v. Nations Capital Growth Fund, et al.
NYS	1	03-9654	John B. Johnson v. Putnam American Government Income Fund, et al.
NYS	1	03-9655	Rachelle Knopf v. Pilgrim Baxter & Associates, Ltd., et al. Opposed 3/19/04
NYS	1	03-9668	Walter C. Slack v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	03-9670	Gregory Smidt, et al. v. Bear, Stearns & Co, Inc. Vacated 3/11/04
NYS	1	03-9740	Milton Pfeiffer v. The Dreyfus Corp.
NYS	1	03-9790	Mike Atassi v. Pilgrim, Baxter & Associates, Ltd., et al. Opposed 3/19/04
NYS	1	03-9801	Durand Wilson, II v. Excelsior Funds, Inc., et al.
NYS	1	03-9858	John B. Johnson v. Alger Small Portfolio, et al.
NYS	1	03-9915	Janet M. Crocket v. Alger Small Portfolio, et al.
NYS	1	03-9920	Marvin Goldfarb v. Putnam American Government Income Fund, et al.
NYS	1	03-9955	Charles C. Hargrave, et al. v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	03-10016	Carl Sadowsky v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	03-10045	Joseph R. Russo v. Invesco Advantage Health Sciences Fund, et al.
NYS	1	03-10098	Kathleen Iozzo, et al. v. Putnam Investment Trust, et al.
NYS	1	03-10099	Paul Weiner, et al. v. Putnam Investments Trust, et al.
NYS	1	03-10132	Herman S. & Esperanza A. Drayer Residual Trust U/A 4/22/83, et al. v. Federated Investors, Inc., et al.
NYS	1	03-10158	Benjamin Robinson v. Marsh & McLennan Companies, Inc., et al.
NYS	1	03-10173	Jodi Finkelson-Reece v. Putnam Investment Trust, et al.
NYS	1	03-10198	Benjamin Hiser v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	04-28	Doris Staehr, etc. v. Jeffrey W. Greenberg, et al.
NYS	1	04-230	William B. Cottrell v. Marsh & McLennan Companies, Inc., et al. Opposed 3/19/04
NYS	1	04-409	Michael Fitzpatrick, etc. v. John R. Belk, et al.
NYS	1	04-410	David M. Kaufman, et al. v. John R. Belk, et al.

OHIO SOUTHERN

OHS	2	03-1016
OHS	2	03-1037

Bernard Flucke v. Bank One Corp., et al.
Warren Sherman, etc. v. Peter C. Marshall, et al.

SCHEDULE OF ACTIONS (CTO-1) - DOCKET NO. 1586

PAGE 4 OF 4

OHS 2 03-1038
OHS 2 03-1039

Jerry Huang v. Peter Marshall, et al.
Mark Snyder, etc. v. Peter C. Marshall, et al.

PENNSYLVANIA EASTERN

~~PAE 2 03-6255~~ ~~Stephen Cary v. Pilgrim Baxter & Associates, Ltd., et al.~~ Opposed 3/19/04
~~PAE 2 03-6411~~ ~~Lilia Binder et al. v. PBHG Growth Fund, et al.~~ Opposed 3/19/04
~~PAE 2 03-6436~~ ~~Robert K. Beiter v. Pilgrim Baxter & Associates, Ltd., et al.~~ Opposed 3/19/04
~~PAE 2 03-6441~~ ~~Stanley D. Bernstein Profit Keough for the Benefit of Stanley Bernstein v. Pilgrim Baxter & Associates, Ltd., et al.~~ Opposed 3/19/04
~~PAE 2 03-6509~~ ~~Anatoly S. Weiser v. PBHG Growth Fund, et al.~~ Opposed 3/19/04
~~PAE 2 03-6544~~ ~~Korshed F. Junglawala v. Pilgrim Baxter & Associates, Ltd., et al.~~
~~PAE 2 03-6570~~ ~~Michael Peroff v. Pilgrim Baxter & Associates, Ltd., et al.~~ Opposed 3/19/04

PENNSYLVANIA WESTERN

PAW 2 03-1627 John Dejean v. Federated Investors, Inc., et al.
PAW 2 03-1639 Diane Ruchka v. American Skandia Advisor Funds, Inc., et al.
PAW 2 03-1659 Resa H. Jannett, et al. v. American Skandia Advisor Funds, Inc., et al.
PAW 2 03-1737 Robert Steinberg, et al. v. American Skandia Advisor Funds, Inc., et al.
PAW 2 03-1858 John M. Abraham v. Federated Investors, Inc., et al.
PAW 2 03-1942 Michael Feder, etc. v. Federated Investors, Inc., et al.
PAW 2 03-1965 Risa B. Schneps v. Federated Investment Management Co.
PAW 2 03-1971 Martin J. Michlik v. Federated Investors, Inc., et al.

TEXAS EASTERN

TXE 6 03-562

Rex-Hide Industries, Inc., et al. v. National Capital Growth, et al.

WISCONSIN EASTERN

WIE 2 03-951 Ryan Marshall, etc. v. Richard S. Strong, et al.
WIE 2 03-953 John Lang, et al. v. Strong Advisor Common Stock Fund, et al.
WIE 2 03-960 Terry Mintz, etc. v. Richard S. Strong, et al.
WIE 2 03-961 Heather Blum, etc. v. Richard S. Strong, et al.
WIE 2 03-963 Niki Tsetsekos, etc. v. Strong Financial Corp., et al.
WIE 2 03-969 Esther Cohen v. Strong Advisor Common Stock Fund, et al.
~~WIE 2 03-997~~ ~~Gerald Klatner v. Strong Capital Management, Inc., et al.~~ Opposed 3/18/04
WIE 2 03-1003 Ernest Gottdiener v. Strong Advisor Common Stock Fund, et al.
WIE 2 03-1012 Mary Ellen Ryan, etc. v. Strong Capital Management, Inc., et al.
WIE 2 03-1027 Carol Patterson, etc. v. Strong Financial Corp., et al.
WIE 2 03-1035 Luis O. Araneda v. Strong Advisor Common Stock Fund, et al.
WIE 2 03-1038 Peter J. Kugi, etc. v. Strong Capital Management, Inc., et al.
WIE 2 03-1067 Brian Flynn v. Strong Capital Management, Inc., et al.
WIE 2 03-1073 Ori Ashman v. Strong Advisor Common Stock Fund, et al.
WIE 2 03-1074 Michael J. Hossack v. Strong Advisor Common Stock Fund, et al.
WIE 2 03-1075 Charles Hutton v. Strong Capital Management, Inc., et al.
~~WIE 2 03-1407~~ ~~James L. DaPore v. Strong Financial Corp., et al.~~ Opposed 3/19/04

WISCONSIN WESTERN

WIW 3 03-524
WIW 2 03-1426

Donald Schneider v. Strong Financial Corp., et al.
Donald Schneider v. Strong Financial Corp., et al.

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF MARYLAND

Felicia C. Cannon
Clerk

4415 U.S. Courthouse
101 W. Lombard Street
Baltimore, Maryland 21201
(410) 962-2600

March 24, 2004

U.S. District Court for the
District of Massachusetts
United States Courthouse
Suite 2300
One Courthouse Way
Boston, MA 02210-3002

MDL 1586
In re: Mutual Funds Investment Litigation
Your civil no. 1:03-12526 - RWZ
Our civil no. 1:04-845
Baseman v Putnam Investment Management

Dear Clerk:

I am enclosing a certified copy of the Transfer Order from the Judicial Panel on Multi-District Litigation filed on March 22, 2004, in this Court transferring the above entitled case to the District of Maryland.

Pursuant to footnote 8 of the Panel's order partially suspending Rule 1.6(a) for this litigation, please forward only the docket sheet for each transferred action.

Sincerely,

Felicia C. Cannon, Clerk

By: Claudia Gibson
Deputy Clerk

cc: Judge J.Frederick Motz
Judicial Panel on Multi-District Litigation